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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/112,750	07/10/1998	KIA SILVERBROOK	ART08-US	7269

7590

11/29/2001

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 11/29/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

18

Office Action Summary

Application No.
09/112,750

Applicant(s)
Silverbrook

Examiner
Luong Nguyen

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 5, 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-9 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jul 10, 1998 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

- ☒ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

Art Unit: 2612

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to newly added claims 5-9 filed on 9/05/2001 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 6,157,394) in view of Anderson (US 5,745,175).

Regarding claim 5, Anderson et al. disclose a method and system for altering a linked series of image processors capable of manipulating digital image data comprising the steps of

Art Unit: 2612

capturing a focused image (focusing imaging device 114 on object 112, figure 1, column 3, lines 20-25); generating a manipulated output image by applying a digital image manipulating process (a method for altering a linked series of image processors capable of manipulating digital image data, figure 7, column 1, lines 53-65). Anderson et al. fail to specifically disclose capturing a focused image using an automatic focusing technique generating focus settings. However, Anderson ('175) teaches a method for automatically focusing an image (figures 1-2, column 3, lines 30-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method in Anderson et al. by the teaching of Anderson ('175) in order to obtain a method in which a picture can be obtained of the scene that is more focused and also has a better exposure (column 3, lines 43-44).

Regarding claim 6, Anderson ('175) discloses the focus settings include a current position of a zoom motor (zoom motor, column 5, line 60, column 2, lines 34-54).

Regarding claim 7, Anderson ('175) disclose said digital image manipulating process includes a step of locating an object within the focused image utilizing the focus settings (motor 46 controls the position of the movable lens group 23 from image sensor to focus (column 5, lines 55-60, column 4, lines 45-50).

Regarding claim 9, Anderson et al. disclose wherein the digital image manipulating process selective applies techniques to the focused image utilizing the focus settings (altering a linked series of image processors capable of manipulating digital image data, figure 7, column 1, lines 53-65).

Art Unit: 2612

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 6,157,394) in view of Anderson (US 5,745,175) further in view of Stephenson (US 5,757,388).

Regarding claim 8, Anderson et al. and Anderson ('175) fail to specifically disclose a printing mechanism incorporated into the digital camera. However, Stephenson teaches ink jet printer 12 can print out image capture by electronic camera 10 when it is coupled to camera 10 (figures 1-3, column 2, lines 40-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method in Anderson et al. and Anderson ('175) by the teaching of Stephenson in order to a combination of a camera and a printer which is portable and provides high quality, low cost prints (column 1, line 65 through column 2, line 2).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2612

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong Nguyen** whose telephone number is **(703) 308-9297**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on **(703) 305-4929**.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(703) 306-0377**.

LN LN
11/16/2001


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600